

Amendment No. 1 to HB1953

Daniel  
Signature of Sponsor

**AMEND Senate Bill No. 2769**

**House Bill No. 1953\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 5, Part 2, is amended by adding the following as a new section:

(a) Except as provided in subsection (b), an agency shall not adopt a rule being proposed for which the fiscal note, required by § 4-5-226, or the economic impact statement, as provided in § 4-33-104, establishes that the rule being proposed imposes a cost on persons, including another agency, a special district, or a local or state government, unless, on or before the effective date of the rule being proposed, the agency:

(1) Repeals a rule that imposes a total cost on persons that is equal to or greater than the total cost imposed on persons by the rule being proposed; or

(2) Amends a rule to decrease the total cost imposed on persons by an amount that is equal to or greater than the cost imposed on persons by the rule being proposed.

(b) This section does not apply to a rule that:

(1) Relates to state agency procurement;

(2) Is amended to:

(A) Reduce the burden or responsibilities imposed on persons by a rule; or

(B) Decrease the persons' cost for compliance with a rule;

(3) Is adopted in response to a natural disaster;

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(4) Is necessary to receive a source of federal funds or to comply with federal law; or

(5) Is necessary to implement legislation, unless the legislature specifically states this section applies to the rule.

SECTION 2. Tennessee Code Annotated, Section 4-5-226(i)(1)(E), is amended by deleting the subdivision and substituting instead the following:

A fiscal note listing the name and title of the officer or employee responsible for preparing or approving the note and stating the following for each year of the first five (5) years that the rule will be in effect:

(i) The additional estimated cost to the state and local governments to enforce or administer the rule;

(ii) The estimated reductions in costs to the state and local governments to enforce or administer the rule;

(iii) The estimated loss or increase in revenue to the state or local governments to enforce or administer the rule;

(iv) Whether enforcing or administering the rule will have an effect on cost or revenues of the state or local governments;

(v) The estimated costs the rule imposes on persons and other entities affected by the rule; and

(vi) An economic impact statement if requested pursuant to § 4-33-104.

SECTION 3. This act shall take effect July 1, 2020, the public welfare requiring it.